

**AMENDMENTS TO THE DRAWINGS:**

The attached replacement sheets of drawings, including Figures 3-4A, 7, and 8-11 replace the previously submitted sheets of drawings including Figures 3-4A, 7, and 8-11. More specifically, Applicant has amended Figures 3, 7, and 8. Each replacement sheet has been clearly labeled "Replacement Sheet" in the page header.

Attachment: 3 Replacement Sheets of drawings including Figures 3-4A, 7, and 8-11

## **REMARKS**

Claims 1-18 and 20-26 are pending in the application. Claim 19 has been cancelled. Claims 3, 6, 8, 10-12, 14, 15, 18, 20-23, and 26 have been amended. Claims 1-3, 15, and 26 are in independent form.

### **Specification**

1. The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter. Specifically, the Examiner states that correction of the following is required: "attachment points, claim 2, and cam follower, claim 3."

In response, Applicants have amended claim 2 by deleting "attachment points" and inserting "mounting points." Claim 2 now corresponds to the language set forth in paragraph [0033] of the specification. Paragraph [0033] sets forth "[t]he panel 22 is mounted (at mounting points 92) onto two preferably metallic lifter arms 90."

Applicants respectfully point out that support for "cam follower," as used in claim 3, is found in paragraph [0034] of the specification. Amended paragraph [0034] sets forth "[t]he wedge 84 and roller 88 thus function as a cam follower in some respects, as discussed in greater detail below."

Further, the specification has been amended to clarify terminology set forth in the application as filed. Applicants attest that no new matter has been added thereto. Thus, the objection to the specification is now moot.

### **Drawings**

2. The drawings are objected to under 37 C.F.R. §1.83(a) because the drawings must show every feature of the invention specified in the claims. Specifically, the Examiner states "the angled or rounded footprint, claims 10, 21, the stop wall cooperating with the front slider, claims 12, 22, the opening of claims 13, 24, must be shown or the feature(s) canceled from the claim(s)."

In response, Applicants have amended claims 10 and 21 by deleting "has an angled or rounded footprint so as to be." Claims 10 and 21 now claim "at least one foot includes a front slider which is pivotable in the track."

Applicants have amended claims 12 and 23 by deleting "front slider." Claims 12 and 23 now claim "the lifter arm includes a lock element slidable in the track, and the track includes a stop wall co-operable with the lock element to arrest the linear translation of the lifter arm."

Further, Applicants have attached 3 replacement sheets of drawings, including Figures 3-4A, 7, and 8-11, hereto directly following these Remarks. Each replacement sheet has been labeled "Replacement Sheet" in the page header as per 37 C.F.R. §1.121(d).

In amended Figure 3, the line "A-A" has been changed to "IV-IV" in order to correspond with the description of Figure 4 in paragraph [0014] of the specification.

In amended Figure 7, reference character "119" has been added to identify the opening 119 in order to correspond with amended paragraph [0041] of the specification.

In amended Figure 8, the line "C-C" has been changed to "IX-IX" in order to correspond with the description of Figure 9 in paragraph [0021] of the specification. The line "B-B" has been changed to "X-X" in order to correspond with the description of Figure 10 in paragraph [0022] of the specification. The line "A-A" has been changed to "XI-XI" in order to correspond with the description of Figure 11 in paragraph [0023] of the specification.

Thus, the objection to the drawings is now moot.

#### **Claim Rejections – 35 U.S.C. §112**

**3-4.** Claims 12-14 and 23-25 stand rejected under 35 U.S.C. §112, first paragraph, as failing to comply with the written description requirement. Applicants respectfully traverse the rejection.

First, the Examiner states that there "appear to be no stop wall cooperating with the front slider to arrest translation as claimed." In response, Applicants have amended claims 12 and 23 by deleting "front slider" and inserting "lock element" so that amended claims 12 and 23 now correspond with the description set forth in paragraphs [0035] and [0040]. More specifically, paragraph [0040] sets forth "[t]he lifter arm 90 is capable of sliding forwardly in the track 26 until the lifter arm lock element 108 engages the stop wall 116 of the arresting block 114, as shown in FIG. 12B, thus inhibiting the forward translation of the lifter arm 90 and panel 22."

Second, the Examiner states "[n]o opening of claim 13 is found." In response, Applicants have amended Figure 7 by adding reference character "119" to identify the opening 119 in order to correspond with amended paragraph [0041]. Amended paragraph [0041] sets forth "the lifter arm lock element 108 rises through an opening 119 in the track 26 and into the locking channel 120 of the arresting block 114."

Third, the Examiner states "[n]o basis for the claim to penal, not understood, is found." In response, Applicants have amended claim 14 by deleting "penal" and inserting "panel." Applicants respectfully point out that claim 25 already sets forth "panel" and thus, requires no amendment.

Therefore, Applicants respectfully request that the rejection of claims 12-14 and 23-25 under 35 U.S.C. §112, first paragraph, as failing to comply with the written description requirement be withdrawn.

5-6. Claims 6-25 stand rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Applicants respectfully traverse the rejection.

First, the Examiner states that claim 6 lacks antecedent to "flexible drive cables" as in -- said flexible ...." In response, Applicants have amended claim 6 to set forth "said flexible drive cables," as suggested by the Examiner.

Second, the Examiner states that claim 14 appears to be an error for -- panel --. In response, Applicants have amended claim 14 by deleting "penal" and inserting "panel," as suggested by the Examiner.

Third, the Examiner states that claim 15 lacks antecedent to "a cam profile" on line 4 from the end as in -- said cam profile --. In response, Applicants have amended claim 15 by deleting "a cam profile" on line 8 such that there is sufficient antecedent for "a cam profile" on line 4 from the end.

Fourth, the Examiner states that claim 18 lacks antecedent for "said cam followers," not found. In response, Applicants have amended claim 18 by deleting "said cam followers" and inserting "said wedges." Applicants respectfully point out that "wedges" are set forth in claim 15 such that there is sufficient antecedent for "said wedges" in claim 18 which depends from claim 15.

Therefore, Applicants respectfully request that the rejection of claims 6-25 under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention be withdrawn.

#### **Claim Rejections - 35 U.S.C. §102**

7-8. Claims 3, 15, and 26 stand rejected under 35 U.S.C. §102(b) as being anticipated by United States Patent 6,428,091 to Ito et al. ("the '091 reference"). Applicants respectfully traverse the rejection.

The Examiner has indicated that claims 8-11 and 19-22 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. §112, second paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

Applicants have amended claim 3 to include all the limitations of claim 3 and part of allowable claim 8. Claims 8-11 depend from amended claim 3 and, as such, are construed to incorporate by reference all the limitations of the claim to which they refer, *see* 35 U.S.C. §112, fourth paragraph. Thus, claims 8-11 must be read as including the limitation of a lifter arm

including a cam profile provided as a flange on the lifter arm that is sandwiched by a cam follower such that the cam follower is co-operable therewith to linearly translate the lifter arm until its linear motion is arrested and to pivotably tilt the lifter arm when its linear motion is arrested.

Applicants have amended claim 15 to include all the limitations of claim 15 and allowable claim 19. Applicants have cancelled claim 19. Claims 20-22 depend from amended claim 15 and, as such, are construed to incorporate by reference all the limitations of the claim to which they refer, *see* 35 U.S.C. §112, fourth paragraph.

Applicants have amended claim 26 to claim a tilt and slide mechanism including a frame, having one or more tracks for mounting to a support surface; one or more lifter arms for mounting a panel thereon, wherein each lifter arm includes at least one foot disposed to slide along one of the tracks and each track includes a stop cooperating with the corresponding lifter arm to arrest its linear translation along the track; a trolley disposed to slide along each track, wherein each trolley includes a wedge having a pivot arm pivotally mounted thereto and a roller rotatably mounted to the pivot arm; and an actuator for linearly translating the trolleys; wherein each lifter arm has a cam surface sandwiched between the wedge and the roller of each corresponding trolley to linearly translate the lifter arm along the corresponding track as the trolley is translated when the lifter arm is free to linearly translate and to pivotably tilt the lifter arm as the trolley is further translated when the lifter arm is arrested from linearly translating. Applicants contend that amended claim 26 is not anticipated by the '091 reference.

Therefore, Applicants respectfully request that the rejection of claims 3, 15, and 26 under 35 U.S.C. §102(b) as being anticipated by the '091 reference be withdrawn.

### **Claim Rejections – 35 U.S.C. §103**

**9-11.** Claims 4 and 16 stand rejected under 35 U.S.C. §103(a) as being unpatentable over the '091 reference in view of U.S. Patent 5,238,290 to Farmont ("the '290 reference"). Applicants respectfully traverse the rejection.

Claim 4 depends from amended claim 3 and, as such, is construed to incorporate by reference all the limitations of the claim to which it refers, *see* 35 U.S.C. §112, fourth paragraph. Thus, claim 4 must be read as including the limitation of a lifter arm including a cam profile provided as a flange on the lifter arm that is sandwiched by a cam follower such that the cam follower is co-operable therewith to linearly translate the lifter arm until its linear motion is arrested and to pivotably tilt the lifter arm when its linear motion is arrested.

Further, the cited references do not provide any teaching, suggestion, or motivation for a lifter arm including a cam profile provided as a flange on the lifter arm that is sandwiched by a cam follower such that the cam follower is co-operable therewith to linearly translate the lifter arm until its linear motion is arrested and to pivotably tilt the lifter arm when its linear motion is arrested. As a result, Applicants contend that the invention set forth in claim 4 of the above-captioned application would not have been obvious to one skilled in the art at the time of invention.

Claim 16 depends from amended claim 15 and, as such, is construed to incorporate by reference all the limitations of the claim to which it refers, *see* 35 U.S.C. §112, fourth paragraph. Thus, claim 16 must be read as including the limitation of a wedge disposed to slide along a track, wherein the wedge includes a pivot arm mounted thereto, the pivot arm having a roller mounted thereto.

Further, the cited references do not provide any teaching, suggestion, or motivation for a wedge disposed to slide along a track, wherein the wedge includes a pivot arm mounted thereto, the pivot arm having a roller mounted thereto. As a result, Applicants contend that the invention set forth in claim 16 of the above-captioned application would not have been obvious to one skilled in the art at the time of invention.

Therefore, Applicants respectfully request that the rejection of claims 4 and 16 under 35 U.S.C. §103(a) as being unpatentable over the '091 reference in view of the '290 reference be withdrawn.

12. Claims 5 and 17 stand rejected under 35 U.S.C. §103(a) as being unpatentable over the '091 reference in view of the '290 reference as applied to claims 4 and 16 above, and further in view of U.S. Patent 7,059,669 to Oberheide ("the '669 reference"). Applicants respectfully traverse the rejection.

Claim 5 depends from amended claim 3 and, as such, is construed to incorporate by reference all the limitations of the claim to which it refers, *see* 35 U.S.C. §112, fourth paragraph. Thus, claim 5 must be read as including the limitation of a lifter arm including a cam profile provided as a flange on the lifter arm that is sandwiched by a cam follower such that the cam follower is co-operable therewith to linearly translate the lifter arm until its linear motion is arrested and to pivotably tilt the lifter arm when its linear motion is arrested.

Further, the cited references do not provide any teaching, suggestion, or motivation for a lifter arm including a cam profile provided as a flange on the lifter arm that is sandwiched by a cam follower such that the cam follower is co-operable therewith to linearly translate the lifter arm until its linear motion is arrested and to pivotably tilt the lifter arm when its linear motion is arrested. As a result, Applicants contend that the invention set forth in claim 5 of the above-captioned application would not have been obvious to one skilled in the art at the time of invention.

Claim 17 depends from amended claim 15 and, as such, is construed to incorporate by reference all the limitations of the claim to which it refers, *see* 35 U.S.C. §112, fourth paragraph. Thus, claim 17 must be read as including the limitation of a wedge disposed to slide along a track, wherein the wedge includes a pivot arm mounted thereto, the pivot arm having a roller mounted thereto.

Further, the cited references do not provide any teaching, suggestion, or motivation for a wedge disposed to slide along a track, wherein the wedge includes a pivot arm mounted thereto, the pivot arm having a roller mounted thereto. As a result, Applicants contend that the invention set forth in claim 17 of the above-captioned application would not have been obvious to one skilled in the art at the time of invention.



Therefore, Applicants respectfully request that the rejection of claims 5 and 17 under 35 U.S.C. §103(a) as being unpatentable over the '091 reference in view of the '290 reference as applied to claims 4 and 16 above, and further in view of the '669 reference be withdrawn.

13. Claims 6, 7, and 18 stand rejected under 35 U.S.C. §103(a) as being unpatentable over the '091 reference in view of the '290 reference and the '669 reference as applied to claims 5 and 17 above, and further in view of U.S. Patent 4,893,870 to Moriya et al. ("the '870 reference"). Applicants respectfully traverse the rejection.

Claims 6 and 7 depend from amended claim 3 and, as such, are construed to incorporate by reference all the limitations of the claim to which they refer, *see* 35 U.S.C. §112, fourth paragraph. Thus, claims 6 and 7 must be read as including the limitation of a lifter arm including a cam profile provided as a flange on the lifter arm that is sandwiched by a cam follower such that the cam follower is co-operable therewith to linearly translate the lifter arm until its linear motion is arrested and to pivotably tilt the lifter arm when its linear motion is arrested.

Further, the cited references do not provide any teaching, suggestion, or motivation for a lifter arm including a cam profile provided as a flange on the lifter arm that is sandwiched by a cam follower such that the cam follower is co-operable therewith to linearly translate the lifter arm until its linear motion is arrested and to pivotably tilt the lifter arm when its linear motion is arrested. As a result, Applicants contend that the invention set forth in claims 6 and 7 of the above-captioned application would not have been obvious to one skilled in the art at the time of invention.

Claim 18, as amended, depends from amended claim 15 and, as such, is construed to incorporate by reference all the limitations of the claim to which it refers, *see* 35 U.S.C. §112, fourth paragraph. Thus, amended claim 18 must be read as including the limitation of a wedge disposed to slide along a track, wherein the wedge includes a pivot arm mounted thereto, the pivot arm having a roller mounted thereto.

Further, the cited references do not provide any teaching, suggestion, or motivation for a wedge disposed to slide along a track, wherein the wedge includes a pivot arm mounted thereto,

the pivot arm having a roller mounted thereto. As a result, Applicants contend that the invention set forth in claim 18 of the above-captioned application would not have been obvious to one skilled in the art at the time of invention.

Therefore, Applicants respectfully request that the rejection of claims 6, 7, and 18 under 35 U.S.C. §103(a) as being unpatentable over the '091 reference in view of the '290 reference and the '669 reference as applied to claims 5 and 17 above, and further in view of the '870 reference be withdrawn.

14. Claims 1-2 stand rejected under 35 U.S.C. §103(a) as being unpatentable over the '669 reference in view of the '870 reference. Applicants respectfully traverse the rejection.

Application 10/569,005 (the above-captioned application) and Patent 7,059,669 (the '669 reference) were, at the time the invention of Application 10/569,005 was made, owned by Intier Automotive Closures Inc.

Assignment for Application 10/569,005 is recorded at reel/frame number 017646/0064. Assignment for Patent 7,059,0669 is recorded at reel/frame number 016180/0766.

Therefore, Applicants respectfully request that the rejection of claims 1-2 under 35 U.S.C. §103(a) as being unpatentable over the '669 reference in view of the '870 reference be withdrawn.

#### **Allowable Subject Matter**

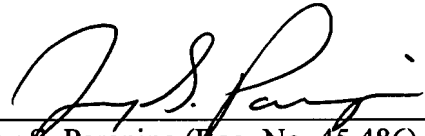
15. The Examiner states that claims 8-11 and 19-22 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. §112, second paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

Appl'n No: 10/569,005  
Amdt dated November 15, 2007  
Reply to Office action of July 23, 2007

It is respectfully submitted that this patent application is in condition for allowance, which allowance is respectfully solicited. If the Examiner has any questions regarding this amendment or the patent application, the Examiner is invited to contact the undersigned.

The Commissioner is hereby authorized to charge any additional fee associated with this Communication to Deposit Account No. 50-1759. A duplicate of this form is attached.

Respectfully submitted,



Jay S. Paranjpe (Reg. No. 45,486)  
Clark Hill PLC  
500 Woodward Avenue, Suite 3500  
Detroit, MI 48226-3435  
(313) 965-8897

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